

ORIGINAL

THIS AMENDMENT:

\_\_\_\_ Passed \_\_\_\_\_ Passed as amended by \_\_\_\_\_

\_\_\_\_ Failed \_\_\_\_\_ Not Offered \_\_\_\_\_



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**HEARING DIVISION PROPOSED AMENDMENT # 1**

TIME/DATE PREPARED April 30, 2008/ 1:30 pm

COMPANY: DIECA COMMUNICATIONS  
DBA COVAD COMMUNICATIONS  
COMPANY: ESCHELON TELECOM OF  
ARIZONA, INC.; MCLEODUSA  
TELECOMMUNICATIONS SERVICES,  
INC.; MOUNTAIN  
TELECOMMUNICATIONS, INC. XO  
COMMUNICATIONS SERVICES, INC  
AND QWEST CORPORATION

AGENDA ITEM NO. U-17

Arizona Corporation Commission

**DOCKETED**

**APR 30 2008**

DOCKETED BY	nr
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DOCKET NOS.: T-03632A-06-0091, T-  
03267A-06-0091, T-04302A-06-0091, T-  
03406A-06-0091, T-03432A-06-0091 and T-  
01051B-06-0091.

OPEN MEETING DATE: May 6 & 7, 2008

Page 8, line 2

REPLACE "inc." WITH "Inc."

Page 22, line 8

After "be approved." INSERT:

"We find further that the initial list of Arizona non-impaired wire centers should be approved for all carriers."

Page 24, line 19 – 24 through page 25, line 10

Beginning with "In case of such disputes, the effective date . . . ." DELETE through Page 25, line 10.

INSERT:

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2008 APR 30 P 2:29  
AZ CORP COMMISSION  
DOCKET CONTROL

“We find that there is no current controversy concerning the timing of determining affiliate status, and that it is premature to make a determination about what information will be relevant to the Commission’s resolution of disputes that may or may not arise. The Settlement Agreement does not prescribe the timing of such determination. Setting this issue aside at this time does not prejudice any party, including Staff, from making an argument concerning the timing of affiliate data and will allow the Commission to make a decision based on the specific facts at the time of the dispute.”

Page 27, line 14

After “reasonable and necessary” DELETE “is”

REPLACE WITH “in”

Page 27, line 19

After “to remain on the service list.” INSERT “With respect to the initial list of unimpaired wire centers, all CLECs with interconnection agreements with Qwest received notice of the Settlement Agreement and an opportunity to participate. With respect to future filings, any”

Page 27, line 19

DELETE “Any”

Page 27, line 20

After “if they choose, contest” DELETE “the” REPLACE WITH “future”

Page 27, line 22

After “of any future filings.” INSERT “The Commission will establish procedures for future filings.”

Page 33, lines 3 - 8

DELETE lines 3 through 8

REPLACE with

“49. In the event of an objection to a future Qwest non-impaired designation filing, all parties will have the opportunity to present data and related legal argument associated with the affiliate status of a fiber-based collocater for consideration by the Commission in resolving disputes concerning Qwest’s designation.”

Page 33, line 25

After "had opportunity to participate" INSERT ", including an opportunity to provide input on the initial list of unimpaired wire centers. The initial list of Arizona non-impaired wire centers attached to the Settlement Agreement should be approved for all carriers"

Page 34, line 26

INSERT new Ordering Paragraph:

"IT IS FURTHER ORDERED that the initial list of Qwest's Arizona unimpaired wire centers attached to the Settlement Agreement is approved for all carriers."

Page 35, line 1 - 2

DELETE

"that is available up to the date of the Commission Order may be considered by the Commission in resolving"

INSERT

"and legal argument including, but not limited to, the relevant date of such data, may be presented to the Commission as part of its resolution of"